

EV410136176US



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Respectfully submitted,

By:

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BANNER AND WITCOFF, LTD.

JUN 29 2004

Atty. Docket No.
005156.00004

Technology Center 2100 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

M. Todd SCHOMER

Examiner: S. Shah

U.S. Pat. App. No.: 09/625,277

Group Art Unit: 2176

Filed: July 25, 2000

For: PREVIEW WINDOW TO PREVIEW TEXT IN SEVERAL DIFFERENT FONTS
SIMULTANEOUSLY

RESUBMISSION OF AMENDMENT UNDER 37 C.F.R. §1.8

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant timely submitted an Amendment by facsimile transmission in this application on March 19, 2004. During a personal interview granted to the undersigned by Examiner Shah on June 17, 2004, however, the undersigned discovered that the Amendment was received without the undersigned's signature, and thus had not been entered.

Applicant asks that the Amendment be entered and, further, be given its original submission date of March 19, 2004. A copy of the Amendment, as filed is attached. As

evidenced by this copy, the Amendment was, in fact, signed by Applicant prior to submission using electronic ink. An electronic copy of the Amendment was then directly faxed to the U.S. Patent and Trademark Office using the Rightfax facsimile software application (i.e., without physically printing out a paper copy of the Amendment). Apparently, while the U.S. Patent and Trademark Office accurately received the text of the Amendment, the undersigned's signature (both for the Amendment itself and for the associated Certificate of Transmission) were not properly printed by the U.S. Patent and Trademark Office's facsimile machine.

Applicants therefore submit that the Amendment was timely submitted to the U.S. Patent and Trademark Office on March 19, 2004, *with* the required signature under 37 C.F.R. §1.4.

Further, MPEP §714.01 states that

When an unsigned or improperly signed amendment is received the amendment will be listed on the file wrapper, but not entered. *The examiner will notify application of the status of the application, advising him or her to furnish a duplicate amendment properly signed or to ratify the amendment already filed.* In an application not under final rejection, application should be given a 1-month time period in which to ratify the previously filed amendment.

In the instant application, however, Applicant was never informed of the signatures missing from the Amendment or given the opportunity to ratify the Amendment.

Applicant therefore asks that the Amendment filed on March 19, 2004, be entered and receive the benefit of its original facsimile transmission date. If, for some reason, the Commissioner does not accept the original filing date of the attached Amendment, then Applicants respectfully ask that the Examiner enter the attached copy of the Amendment, and accept this paper as a Petition for a three month extension of time. The Commissioner is then

U.S. Pat. App. No.: 09/625,277
Atty. Docket No.: 005156.00004

authorized to charge the associated extension fees, as well as any other fees that may be required,
including any fees under 37 C.F.R. §1.16 or §1.17, to Deposit Account No. 19-0733.

Respectfully submitted,

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June 21, 2004